

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RANDALL VARGA,

Plaintiff,

v.

STANWOOD-CAMANO SCHOOL DISTRICT,

Defendant.

No. C06-0178P

ORDER STAYING CASE


This matter comes before the Court on the parties' request to stay the case. The Court previously stayed the summary judgment proceedings pending the outcome of a motion for reconsideration in McClarty v. Totem Pole, 157 Wn.2d 214, 137 P.3d 844 (2006). (Dkt. No. 37). In McClarty, the Washington Supreme Court adopted the definition of "disability" used in the federal Americans with Disabilities Act. McClarty, 157 Wn.2d at 228. Plaintiff has indicated that his case turns, at least in part, on the definition of disability under Washington law. Because there is no indication of when the Washington Supreme Court will issue a decision on that motion for reconsideration, and because no mandate has yet issued in that case, the Court will stay this case. As the Court explained during the telephonic conference held with counsel for the parties today, the Court ORDERS:

(2) The parties are directed to provide the Court with joint reports every six months from the date of this order regarding the status of the motion for reconsideration or within ten (10) days of a mandate issuing in McClarty.

The parties must provide the Court with a joint status report within ten days of a mandate issuing in McClarty. The report must propose a new trial date. The report must also indicate whether the parties are renewing the summary judgment briefing already filed or whether they will be filing new briefing. If the parties file new summary judgment briefing, they should propose a schedule for doing so. The report should also indicate in their report any other pertinent dates that need to be re-set in anticipation of trial.

The Clerk is directed to send copies of this order to all counsel of record.

Dated: January 18<sup>th</sup>, 2007.

  
Marsha J. Pechman  
United States District Judge